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Name of Person Signing Certificate:

Holly Tuynman

9-14-2004

Date

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: James B Sullivan, et al §

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Conf. No.: 8412

§ Group Art Unit: 3627

Appln. No.: 10/754,427

§ Examiner: Not Yet Assigned

Filed: January 9, 2004

§ Attorney Docket No.: H014466.0047US0

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Title: Method and System for Performing a Retail Transaction Using a Wireless Device

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Enclosed are copies of each of the documents listed on the attached Information Disclosure Citation Form 1449A/PTO, which may be material to the patentability of this application and/or for which there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as an admission that any of the listed documents constitutes prior art, nor as an admission against interest in any manner.

No fee is believed to be due in connection with the filing of this Information Disclosure Statement since it is being filed before the mailing date of the first Office Action on the merits. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 16-2435.

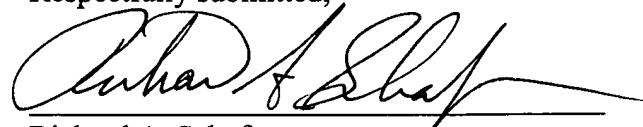
It is respectfully requested that this Information Disclosure Statement and the documents listed on the attached Form 1449A/PTO be considered and acknowledged by the

Examiner in connection with the above-identified patent application, be made of record therein, and that the listed document(s) be cited in the issued patent.

Respectfully submitted,

9/14/2004

(Date)



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Enclosures



<p>Substitute for form 149A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>				<p>Complete if Known</p>	
<p>Application Number</p>		<p>10/754,427</p>			
<p>Filing Date</p>		<p>January 9, 2004</p>			
<p>First Named Inventor</p>		<p>James B. Sullivan</p>			
<p>Group Art Unit</p>		<p>3627</p>			
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<p>Sheet</p>	<p>1</p>	<p>of</p>	<p>1</p>	<p>Attorney Docket Number</p>	
<p>H014466.0047US0</p>					

U.S. PATENT DOCUMENTS				
Examiner Initials	U.S. Patent Document		Name of Inventor or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	Number	Kind Code (if known)		
	5,991,749		Morrill, Jr.	11-23-1999
	6,195,541	B1	Griffith	2-27-2001
	6,195,542	B1	Griffith	2-27-2001
	6,356,752	B1	Griffith	3-12-2002
	2002/0116329	A1	Serbetcioglu et al.	8-22-2002
	2002/0147913	A1	Lun Yip	10-10-2002
	2002/0181710	A1	Adam et al.	12-5-2002
	2003/0014357	A1	Chrisekos et al.	1-16-2003
	6,535,726	B1	Johnson	3-18-2003

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Foreign Patent Document			Name of Inventor or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	
	Country Code	Number	Kind Code (if known)			
	GB	1,544,542		Societe Anonyme Francaise des Appareils Automatiques SAFAA	4-19-1979	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	A	"Hypercom and Wirca Bank on Mobile Payments at the POS," CARD NEWS, 6/27/2002, 2 pages, Phillips Business Information, Inc.	
	B	"POS Payments Using Cell Phones Take On A Slow Midwestern Approach," ATM & DEBIT NEWS, 1/23/2003, 2 pages, Thomson Financial.	
	C	"BP, Nedap, and KPN Mobile have an international first," http://www.nedapmobilepay.com/html/news/news/news10.php3 , 10/19/2001, 2 pages.	
	D	THE ASSOCIATED PRESS, "Sony, Carrier Join on 'Smart Card' Phones," 10/27/2003, 3 pages, New York Times	

Examiner Signature		Date Considered	
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